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*Attorneys for Defendant*  
**CITY OF OAKDALE**

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
FRESNO COURTHOUSE

**BRANDON GRAY,**

Plaintiff,

v.

**CITY OF OAKDALE**, a municipal corporation; City of Oakdale Police Department Officers **DOES 1-10**, individually; **CITY OF MODESTO**, a municipal corporation; City of Modesto Police Department Officers **DOES 11-20**, individually; **COUNTY OF STANISLAUS**, a public entity; Stanislaus County Sheriff's Department Deputies **DOES 21-30**, individually; California Highway Patrol Officers **DOES 31-40**, individually; and **DOES 41-100**, Jointly and Severally,

Defendants,

Case No.: 1:21-cv-01086-NONE-BAM

**STIPULATION AND ~~[PROPOSED]~~  
ORDER TO CONTINUE SCHEDULING  
CONFERENCE**

Plaintiff, BRANDON GRAY ("Plaintiff"), by and through his counsel of record, Defendant CITY OF MODESTO ("CITY"), by and through its counsel of record, and Defendant CITY OF OAKDALE, by and through its counsel of record, hereby respectfully stipulate to continuing the initial mandatory scheduling conference from January 27, 2021 at 9:30 a.m. until February 25, 2022, if that is acceptable and convenient for the Court. Good cause exists for continuing the initial mandatory scheduling conference because Plaintiff's lead counsel, Mr. Schmidt, has a motion hearing in a state court matter that was set sua sponte by the clerk of the Superior Court (without input from counsel) at 9:00 a.m., on January 27, 2022, and Mr. Bogan also has a state court matter that conflicts with the initial scheduling conference. If it is convenient for the Court, the parties respectfully request that this initial scheduling conference be continued to February 25, 2022.

1           **IT IS SO STIPULATED.**

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4       Dated: January 20, 2022

Respectfully submitted,  
ALLEN, GLAESSNER,  
HAZELWOOD & WERTH, LLP

5  
6           By: /s/ Patrick D. Moriarty\*  
7               PATRICK D. MORIARTY  
8               JOHN B. ROBINSON  
              Attorneys for Defendant  
              CITY OF MODESTO

9  
10       Dated: January 20, 2022

THE LAW OFFICE OF SANJAY S. SCHMIDT

11           By: /s/ Sanjay S. Schmidt  
12               SANJAY S. SCHMIDT  
13               Attorneys for Plaintiff  
              BRANDON GRAY

14  
15       Dated: January 20, 2022

FERGUSON, PRAET & SHERMAN

16  
17           By: /s/ Bruce D. Praet\*  
18               BRUCE D. PRAET  
19               Attorneys for CITY OF OAKDALE  
              Defendants

20       Dated: January 20, 2022

PORTER SCOTT  
A PROFESSIONAL CORPORATION

21  
22           By: /s/ John R. Whitefleet\*  
23               Attorneys for Defendant COUNTY OF  
24               STANISLAUS

25  
26           \*Mr. Moriarty, Mr. Praet, and Mr. Whitefleet gave their consent to file this document via  
27       CM-ECF.

28       //

**ORDER**

The Court, having reviewed the parties' stipulation and request, and good cause appearing, finds and orders as follows:

1. The Scheduling Conference is HEREBY CONTINUED to **February 24, 2022, at 9:30 AM in Courtroom 8 (BAM) before Magistrate Judge Barbara A. McAuliffe**. The parties shall file a Joint Scheduling Report one week prior to the conference. The parties shall appear at the conference remotely with each party connecting either via Zoom video conference or Zoom telephone number. The parties will be provided with the Zoom ID and password by the Courtroom Deputy prior to the conference. The Zoom ID and password are confidential and are not to be shared. Appropriate court attire required.

IT IS SO ORDERED.

Dated: **January 20, 2022**

/s/ *Barbara A. McAuliffe*  
UNITED STATES MAGISTRATE JUDGE